

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

MacElree Harvey, Ltd.

17 W. Miner Street, P.O. Box 660

West Chester, PA 19381-0660

(610) 436-0100

Natalie R. Young, Esquire ([nyoung@macelree.com](mailto:nyoung@macelree.com))

Leo M. Gibbons, Esquire ([lgibbons@macelree.com](mailto:lgibbons@macelree.com))

(Admitted Pro Hac Vice)

Counsel to Charlene Heller

In re:

DARYL FRED HELLER,

Debtor.

Case No. 25-11354 (JNP)

Chapter 11

**CERTIFICATION OF LEO M. GIBBONS, ESQUIRE, IN SUPPORT OF MOTION  
APPROVING THE AGREEMENT AMONGST DEBTOR, CHARLENE HELLER AND  
ORRSTOWN BANK PURSUANT TO F.R.B.P. 9019**

Leo M. Gibbons, Esquire, of full age, certifies as follows:

1. I am legal counsel to Charlene Heller in the above-referenced matter.
2. I am a partner with the law firm of MacElree Harvey.
3. I submit this Certification in support of the Motion to Approve Settlement Agreement (the “Agreement”) amongst Debtor, Charlene Heller and Orrstown Bank filed with this Court on April 30, 2025 at Document No. 213.
4. I am fully familiar with the facts and circumstances set forth herein.
5. Pursuant to Section 4.a. and Section 8 of the Settlement Agreement on pages A-12 and A-14, respectively, MacElree Harvey is acting as escrow agent for the \$200,000.00 payment to be made to Orrstown Bank pursuant to and following Approval of the Agreement (the “Initial Payment”).
6. Debtor delivered a check (the “Check”) to me payable to “Daryl Heller” from Principal Trust Company that referenced a requested 401k withdrawal and stated “the attached check is a withdrawal from a retirement plan”.

7. Debtor endorsed the check to MacElree Harvey with the express instructions and understanding that it was to be deposited into escrow and held and the Initial Payment subsequently disbursed pursuant to the Agreement.

8. The Initial Payment is currently being held in escrow by MacElree Harvey in accordance with the terms of the Agreement.

I hereby certify that the above statements made by me are true to the best of my knowledge, information and belief. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Date: 6/9/25

By:   
Leo M. Gibbons, Esquire